

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

RODNEY JULIUS OWENS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:06-CV-540-MEF
	)	
DR. JOHN McFARLAND, et al.,	)	
	)	
Defendants.	)	

**ORDER**

In his complaint, the plaintiff names Dr. John McFarland as a defendant in this cause of action. Upon review of the docket in this case, it appears that service was attempted but unperfected on Dr. John McFarland. If a person has not been served, he is not a party to this lawsuit except in very unusual circumstances. Consequently, in order to maintain litigation against Dr. John McFarland, the plaintiff must furnish the clerk's office with a correct address for this individual. Accordingly, it is

ORDERED that on or before August 7, 2006 the plaintiff shall furnish the clerk's office with the correct address of Dr. John McFarland. **The plaintiff is advised that the court will not continue to monitor this case to ensure that the defendants he wishes to sue have been served.** This is the plaintiff's responsibility. Moreover, the plaintiff is specifically cautioned that if service is not perfected on Dr. John McFarland he will not be considered a party to this cause of action, the court will on its own initiative dismiss the claims against Dr. John McFarland, and this case will proceed against only the defendants

on whom service has been perfected. *See* Rule 4(m), *Federal Rules of Civil Procedure*.

DONE, this 1<sup>st</sup> day of August, 2006.

/s/ Susan Russ Walker

SUSAN RUSS WALKER

UNITED STATES MAGISTRATE JUDGE